

Residents Sue Company over Dumped Blueberry Waste

FRANKFORT, Mich. (AP) — Ten residents of rural Benzie County have filed a lawsuit against a northern Michigan fruit processor and a septic hauler who dumped waste blueberry juice into a gravel pit more than a decade ago, damaging a stream and contaminating groundwater.

Graceland Fruit Inc., which generated the wastes at its processing facility in Frankfort, hired Bonney Brothers Pumping Co. to transport and dispose of the juice. The Michigan Department of Environmental Quality said the 2002 disposal was illegal and the state attorney general's office filed a civil case. Under a settlement reached in 2008, the companies promised to restore the waterway and pay \$250,000 in fines and restoration costs.

But the Traverse City Record-Eagle (<http://bit.ly/Tglx5e>) reported Thursday that a group of local property owners went to court in December, contending the creek and their wells are still polluted.

Bradley Chicky, one of the residents, said juice contamination has forced him to use bottled water for drinking and cooking.

"If you boil the water, it generates a sediment that almost looks like sand," Chicky said. He told the newspaper his shower walls have developed an orange tint.

At certain times, "you get this raunchy, trashy smell from the stream, and there's an orangeish slime," Chicky said. "All I wanted was for them to clean the creek up and give me a new well. I'm just looking out for the health of my three children."

Graceland Fruit executives acknowledged the waste product came from their processing operations but said they didn't know Bonney Brothers improperly disposed of the liquid. The company said it pays for bottled water for several homeowners, invested in on-site waste treatment at its manufacturing facilities and installed monitoring wells in the area.

"We have at least a social obligation to provide bottled water," said Al DeVore, Graceland Fruit's chief executive officer. "It's very difficult to tell what caused the issues ... but rather than take the approach that we have no obligation to this, we want to work with everyone."

Joseph Quandt, an attorney representing Bonney Brothers Pumping, said the lawsuit has no merit and that many of the property owners "have had historic issues related to iron in their water that by far predate any of the issues associated with the impact at the site."

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A local farmer filed an earlier lawsuit and received \$95,000 in a settlement, said his attorney, Chris Bzdok.

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